



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

December 12, 2022

Sandy Brantley
Office Of The Attorney General
200 Saint Paul Place
Baltimore, MD 21202-2021

Dear Ms. Brantley,

I would like to request a formal Attorney General opinion regarding Baltimore City's enforcement powers to administer **Article 13, Subtitle 5, Chapter 4 ("§ 5-4")** of the Baltimore City Code related to the unlawful collection of rent by an unlicensed landlord. Please address the following questions:

- (1) May the Baltimore City Department of Housing and Community Development (DHCD) enforce § 5-4 through a schedule of civil or criminal penalties and adjudication in the normal course?
- (2) May the Baltimore City Council enact a provision that requires a violator of § 5-4 to forfeit unlawfully collected rent as a condition precedent to DHCD's granting or renewing a rental license for the violator's property?
- (3) May the Baltimore City Council enact a provision that permits the Baltimore City DHCD to suspend or revoke an active rental license upon evidence that the property owner or operator, prior to licensure, collected rent payments in violation of § 5-4 and failed to forfeit those payments?
- (4) May the Baltimore City Council enact a provision that establishes a City-held fund for the purpose of using forfeited money to compensate victims for losses incurred because of an owner or operator's violation of § 5-4?

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Robbyn Lewis".

Sincerely,

Delegate Robbyn Lewis
District 46, Baltimore City
Maryland House of Delegates
6 Bladen St. Room 304
CC: Councilman Zeke Cohen, Baltimore City Council District 1